

JTM: USAO# 2009R00032

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

2009 DEC -1 P 1:21

UNITED STATES OF AMERICA

v.

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

Defendant.

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CRIMINAL NO.

(Mail Fraud, 18 U.S.C. § 1341;
Aggravated Identity Theft, 18 U.S.C.
§ 1028A; Access Device Fraud, 18
U.S.C. § 1029; Aiding and Abetting, 18
U.S.C. § 2)

INDICTMENT

COUNT ONE
(Mail Fraud)

The Grand Jury for the District of Maryland, charges that:

Introduction

At all times relevant to this Indictment,

1. **ALLIHARISM O. POPOOLA, a/k/a Alli Poopola, (hereinafter "POPOOLA")** was a resident of Maryland. From the September of 2002 until June of 2008, **POPOOLA** was an undergraduate student enrolled at Morgan State University in Baltimore, Maryland. **POPOOLA** funded his education, in part, through loans he obtained through SallieMae.

The Victims

2. SallieMae is a lending institution that provides federal and private student loans for undergraduate and graduate students and their parents. Consumers are able to apply for loans from Sallie Mae over the Internet and through the mail. The main office of SallieMae is in the

state of Virginia.

3. Victim SM was a resident of North Carolina.

4. Victim MW was a resident of New Jersey.

5. Wachovia Bank, HSBC, and Capital One are all financial institutions with deposits insured by the Federal Deposit Insurance Corporation and with offices in Maryland.

The Scheme to Defraud

6. From on or about October 19, 2007, and between September 22, 2008, in Maryland and elsewhere, the defendant, **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, and others known and unknown to the Grand Jury, devised and intended to devise a scheme and artifice to defraud the victims and to obtain money and property from the victims by means of false and fraudulent pretenses, representations and promises.

7. It was a part of the scheme and artifice to defraud that the defendant **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, used the Internet and the U.S. mails to apply to SallieMae for student loans to finance his own education.

8. It was further part of the scheme to defraud that the defendant **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, acquired the means of identification, to include name, address, date of birth, and social security number, of victims SM and MW.

9. It was part of the scheme to defraud that the defendant **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, used the identity and means of identification of SM and MW without the knowledge or authority of SM and MW.

10. It was part of the scheme to defraud that the defendant **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, used the identity and means of identification of SM and MW

as co-borrowers when applying to SallieMae student loans.

11. It was a further part of the scheme and artifice to defraud that, after the student loans were funded and checks were issued to **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola, POPOOLA** would cash the checks at a Wachovia Bank and deposit said funds into his personal account.

12. It was a further part of the scheme and artifice to defraud that **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, defaulted on the loans.

13. It was a further part of the scheme and artifice to defraud that **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, applied for credit cards in the name of SM from HSBC and Capital One.

14. It was a further part of the scheme and artifice to defraud that the defendant, **ALLIHARISM O. POPOOLA, a/k/a Alli Popoola**, used the fraudulently obtained credit cards in the name of SM to purchase goods and obtain cash advances in excess of \$9,000.

Executing the Scheme to Defraud

15. Between in or about October 19, 2007 and November 26, 2007, in the District of Maryland and elsewhere, the defendant,

**ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,**

for the purpose of executing and attempting to execute the scheme to defraud, did knowingly and willfully cause to be deposited in the mail for delivery by the U.S. Postal Service from Maryland in an envelope addressed to SallieMae Private Loan Processing, 50 Braintree Hill Park, Suite 300, Braintree, MA 02184, containing a loan application in his name and in the name of SM.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT TWO
(Aggravated Identity Theft)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. On or about and between October 19, 2007, and November 26, 2007, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, he used the name and date of birth of SM as co-borrower in a loan application submitted to SallieMae, during and in relation to a violation of a felony enumerated in 18 U.S.C. § 1028A(c), that is, mail fraud as charged in Count One of this Indictment and incorporated here.

18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 2

COUNT THREE
(Mail Fraud)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. Between in or about February 25, 2008, and March 18, 2008 , in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

for the purpose of executing and attempting to execute the first scheme to defraud, did knowingly and willfully cause to be deposited in the mail for delivery by the U.S. Postal Service from Maryland in an envelope addressed to SallieMae Private Loan Processing, 50 Braintree Hill Park, Suite 300, Braintree, MA 02184, a loan application in his name and in the name of SM.

18 U.S.C. § 1341
18 U.S.C. § 2

COUNT FOUR
(Aggravated Identity Theft)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. Between in or about February 25, 2008, and March 18, 2008, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, he used the name and date of birth of SM as co-borrower in a loan application submitted to SallieMae, during and in relation to a violation of a felony enumerated in 18 U.S.C. § 1028A(c), that is, mail fraud as charged in Count Three of this Indictment and incorporated here.

18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 2

COUNT FIVE
(Mail Fraud)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. In or about September 22, 2008, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

for the purpose of executing and attempting to execute the first scheme to defraud, did knowingly and willfully cause to be deposited in the mail for delivery by the U.S. Postal Service from Maryland in an envelope addressed to SallieMae Private Loan Processing, 50 Braintree Hill Park, Suite 300, Braintree, MA 02184, a loan application in his name and in the name of MW.

18 U.S.C. § 1341
18 U.S.C. § 2

COUNT SIX
(Aggravated Identity Theft)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. In or about September 22, 2008, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, he used the name and date of birth of MW as co-borrower in a loan application submitted to SallieMae, during and in relation to a violation of a felony enumerated in 18 U.S.C. § 1028A(c), that is, mail fraud as charged in Count Five of this Indictment and incorporated here.

18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 2

COUNT SEVEN
(Access Device Fraud)

The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. Between in or about April 9, 2008, and May 13, 2008, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

knowingly and with intent to defraud, effected transactions with 1 or more access devices issued to another person, that is, victim SM, to receive payment and any other thing of value during any 1-year period the aggregate value of which is equal to or greater than \$1,000, and said conduct affected interstate and foreign commerce.

18 U.S.C. § 1029(a)(2)

18 U.S.C. § 2

COUNT EIGHT
(Aggravated Identity Theft)


The Grand Jury for the District of Maryland further charges:

1. The allegations contained in Paragraph 1 through 14 of Count One of this Indictment are realleged and incorporated here.
2. Between in or about April 9, 2008, and May 13, 2008, in the District of Maryland and elsewhere, the defendant,

ALLIHARISM O. POPOOLA,
a/k/a Alli Popoola,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, he used the name and date of birth of SM to obtain credit cards in SM's name and thereafter obtain goods and services with the credit cards, during and in relation to a violation of a felony enumerated in 18 U.S.C. § 1028A(c), that is, access device fraud as charged in Count Seven of this Indictment and incorporated here.

18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 2


Rod J. Rosenstein
United States Attorney

SIGNATURE REDACTED

Foreperson

12-1-2009
Date